



Regional Airline Association
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U.S. Department of Transportation Dockets
Docket No. FAA-2003-15062
400 Seventh St. SW., Room Plaza 401
Washington, DC 20590

SUBJECT: Proposed Rule: False and Misleading Statements Regarding Aircraft Products, Parts, and Materials

Gentlemen/Madam:

The Regional Airline Association (RAA) submits the following comments on the subject proposal on behalf of our membership (attachment A).

The preamble states that the proposed regulatory changes are to *help prevent misleading statements by extending the prohibition on fraudulent or intentionally false statements beyond those now covered by Title 14, Code of Federal Regulations (14 CFR) parts 21 and 43*; yet the applicability of the rule states that it *applies to persons engaged in aviation-related activities (Section 3.1)* and that it *applies to all records regarding type certificated products, and to parts and materials that may be used on type certificated products, except that paragraph (c) of this section does not apply to records made under part 43 of this chapter*.

At issue is whether those presently covered by Part's 21 and 43 will be subjected to duplicative rulemaking. Certainly Part 21 certificate holders are affected. Persons authorized to perform maintenance, preventative maintenance, rebuilding and alterations in accordance with Part 43 are similarly affected, certainly to the extent of paragraphs other than paragraph (c).

Since the preamble including cost benefit analysis are quite clear as to who this proposal is intended to affect (non-certificated entities), RAA requests that Section 3.1 be revised as follows:

Sec. 3.1 Applicability.

This part applies to persons engaged in aviation-related activities, other than those covered by Title 14, Code of Federal Regulations (14 CFR) parts 21 and 43.

The proposal also seems to imply that the records for determining whether a part meets FAA airworthiness standards is a relatively simple matter. One only has to look at the past struggle of having the FAA recognize industry's usage of the 8130-3 form for declaring the airworthiness approval status of a part to know that it is not a simple matter. RAA therefore suggests that the scope of this proposal be consistent with the falsification of records regulations of FAR 21.2 and FAR 43.12 so that the determination of what records are necessary for showing airworthiness for



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non licensed individuals is no greater than what is currently the practice for FAA certificated entities.

Your consideration of the comments and requests of RAA and its member's, is appreciated.

Sincerely,

David Lotterer
Vice President - Technical Services

Attachment

Attachment A- RAA Member Airlines

Company	City, State
Aeromar *	Mexico City, DF
Air Canada Jazz*	Enfield, Nova Scotia, Canada
AirNet Systems	Columbus, OH
Air Serv	Redlands, CA
Air Wisconsin	Appleton, WI
Allegheny	Middletown, PA
Alpine Aviation	Provo, UT
American Eagle	Dallas, TX
Atlantic Coast Airlines	Dulles, VA
Atlantic Southeast (ASA)	Atlanta, GA
Big Sky Airlines	Billings, MT
Boston-Maine Airways	Portsmouth, NH
Cape Air	Hyannis, MA
Chautauqua Airlines	Indianapolis, IN
Chicago Express	Chicago, Il.
Colgan Air	Manassas, VA
Comair	Cincinnati, OH
CommutAir	Plattsburgh, NY
Continental Express (aka ExpressJet)	Houston, TX
Corporate Air	Billings, MT
Corporate Airlines	Smyrna, TN
Empire Airlines	Coeur d'Alene, ID
ERA Aviation	Anchorage, AS
Executive Airlines	Farmingdale, NY
Federal Express (commuter ops)	Memphis, TN
Flight Options	Johnson City, NY
Grand Canyon Airways	Grand Canyon, AZ



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Great Plains Airlines
Gulfstream International
Horizon Air
IBC Airways
Island (Aloha) Air
Lynx Air International
Mesa Airlines
Mesaba
Midway Airlines
New England Airlines
North-South Airways
Pace Aviation
Piedmont Airlines
Pinnacle Airlines
PSA Airlines
Salmon Air
Scenic Airlines
Seaborne Airlines
Shuttle America
Skyway Airlines
Skywest
Sunworld Int'l Airlines
Trans States
Virginia Airways
Walker's Int'l

Bloomington, MN
Columbia, MO
Miami Springs, FL
Seattle, WA
Miami, FL
Honolulu, HI
Fort Lauderdale, FL
Phoenix, AZ
Minneapolis, MN
RDU Int'l Airport, NC
Westerly, RI
Atlanta, GA
Winston-Salem, NC
Salisbury, MD
Memphis, TN
Vandalia, OH
Salmon, ID
N. Las Vegas, NV
US Virgin Islands
Windsor Locks, CT
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* foreign based air carrier